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8 Counsel for Petitioner DENNIS RAY BARNETT

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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 DENNIS RAY BARNETT,) No. C 08-01604 RMW
14 v.)
15 MIKE KNOWLES, Warden, et al.) STIPULATION AND []
16 Respondents.) ORDER EXTENDING BRIEFING
17) SCHEDULE ON RESPONDENT'S
18) MOTION TO DISMISS
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STIPULATION

17 The parties hereby stipulate and agree that the currently set briefing schedule on
18 respondents' motion to dismiss may be extended to allow petitioner additional time to file his
19 opposition to respondents' motion. The current due date for petitioner's opposition brief is April
20 6, 2009. As of the date of this stipulation, the parties have not yet received a copy of petitioner's
21 inmate file from the Department of Corrections and Rehabilitation due to the voluminous amount
22 of material contained in the file. The parties anticipate that a copy of the inmate file will be
23 provided within the next two weeks for their review. The purpose of this extension request is to
24 allow petitioner's counsel further time to obtain the inmate file, review the voluminous records,
25 and conduct any further investigation in order to prepare the opposition brief. The parties agree
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1 on the following briefing schedule: petitioner shall file his opposition to respondents' motion to
2 dismiss on or before July 6, 2009. Respondents may file an optional reply brief on or before
3 August 21, 2009.

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5 Dated: April 1, 2009

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/s/
7 GREGORY A. OTT
Deputy Attorney General

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9 Dated: April 1, 2009

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/s/
11 CYNTHIA C. LIE
Assistant Federal Public Defender

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[] ORDER

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Good cause appearing and by stipulation of the parties, it is hereby ordered that the
15 currently set briefing schedule on the respondent's motion to dismiss be extended to allow
16 petitioner to file his opposition on or before July 6, 2009, with respondent's reply brief, if any, to
17 be filed on or before August 21, 2009.

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Dated: April 6, 2009

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Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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